

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
LITIGATION

No. M 07-1827 SI
MDL No. 1827

This Order Relates to:

**ORDER RE: JOINT CASE
MANAGEMENT STATEMENT**

Best Buy v. AU Optronics Corp. et al,
Case No. 10-CV-4572,

Best Buy v. Toshiba Corp. et al
Case No. 12-CV-4114

*Costco Wholesale Corporation v. AU Optronics
Corp. et al.*, Case No. 11-CV-00058

*Electrograph Systems, Inc. v. Epson Imaging
Devices Corp. et al.*, Case No. 10-CV-00117

*Eastman Kodak Company v. Epson Imaging
Devices Corp. et al.*, Case No. 10-CV-5452

*Motorola Mobility Inc. v. AU Optronics Corp. et
al.*, Case No. 09-CV-5840

Target Corp, et. al., v. AU Optronics Corp. et al.,
Case No. 10-CV-4945

On March 15, 2013, the Court held a case management conference for the Track 1B and Track 2 cases. The Court informed the parties that the Track 1B trial date would be moved to July 22, 2013, and instructed the parties to meet and confer about a revised pre-trial schedule based on this new trial date. The parties have submitted a Supplemental Joint Case Management Conference Statement, which provides a revised pre-trial schedule and raises new disputes in the scheduling. The Court addresses these issues below.

1 **1. Witness Lists, Exhibit Lists, Written Discovery Designations, and Deposition Designations**

2 The parties acknowledge that, as discussed at the conference, the Court favors a staggered
3 approach with respect to the exchange of witness lists, exhibit lists, written discovery designations, and
4 deposition designations. The parties dispute, however, “the dates and structure of supplemental
5 disclosures and designations in the Track 1B cases.” Plaintiffs propose three exchanges: Plaintiffs’
6 initial exchange, Defendants’ initial exchange, and Plaintiffs’ supplemental exchange.¹ Defendants
7 agree with the dates for the first two rounds of Plaintiffs’ proposed schedule, but propose moving up the
8 date of Plaintiffs’ supplemental exchange and including a supplemental round of Defendant
9 designations.

10 The Court agrees with Defendants that the staggered schedule should afford Plaintiffs and
11 Defendants each two full rounds of designations and instructs the parties to stipulate to a revised
12 schedule based on this conclusion. Issues remaining at the conclusion of these rounds may be addressed
13 at the pre-trial conference.

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15 **2. Best Buy v. Toshiba Schedule**

16 Best Buy and Toshiba request an Order from the Court approving their proposed revised
17 schedule as to summary judgment and *Daubert* motions. The Court approves the schedule with one
18 exception: the hearing date will be moved to **June 19, 2013, at 3:30 pm.**

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20 **3. Other Pre-trial dates**

21 As instructed by the Court at the conference, the parties provide a revised pre-trial schedule
22 based on a trial date of July 22, 2013. The Court approves the revised pre-trial schedule to which the
23 parties have stipulated, with one exception: the date for the *Daubert* hearing will be **June 12, 2013,**
24 **at 9 am.**


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28 ¹In response to Defendants’ concern that Plaintiffs may designate new material in their supplemental designation, Plaintiffs assert that the issue can be raised at the pre-trial conference.

1 The Court directs the parties to file a stipulation providing a revised schedule of all pre-trial dates
2 in accordance with this Order.

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4 **IT IS SO ORDERED.**

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6 Dated: April 2, 2013



SUSAN ILLSTON
United States District Judge